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FOOD AND AGRICULTURAL IMPORTS REGULATIONS AND STANDARDS REPORT (FAIRS)

REPUBLIC OF KOREA

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DISCLAIMER: This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Seoul, Korea for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. **FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY**

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SECTION I. FOOD LAWS

Following are the responsibilities of ministries and agencies involved with the Korean food system along with a brief description of relevant food laws.

A. Ministry of Health & Welfare:

The Ministry of Health & Welfare (MHW) relinquished most of its food regulation authorities to the Korea Food & Drug Administration (KFDA) in 1998. It did retain authority to legislate changes to the Food Sanitation Act and the Functional Food Act and their implementing Presidential Decree and Ministerial Ordinance. As MHW continues its reorganization, its direct linkage to food regulation fades. Today only one team within MHW oversees food policy and industry, whereas in 1998 a bureau handled these responsibilities.

1. Food Sanitation Act

The Food Sanitation Act is legislated by the National Assembly and is the legal basis for the food safety-related work conducted by MHW and KFDA. The Act aims to contribute to the improvement of national health by improving the quality of food nutrition and by preventing sanitary hazards and harm caused by food products.

2. Presidential Decree to the Food Sanitation Act

The Presidential Decree establishes provisions to implement the Food Sanitation Act. The decree provides more defined guidance on interpretation and implementation of the Food Sanitation Act.

3. Ministerial Ordinance to the Food Sanitation Act

The Ministerial Ordinance to the Food Sanitation Act prescribes more detailed guidance on how the Food Sanitation Act and Presidential Decree are to be implemented. This ordinance provides the nuts and bolts for conducting food related business in Korea, including the relevant penalties for compliance failure. The Ordinance also includes samples of the various types of forms needed in conducting food related business, including food imports. Other more detailed standards and regulations guiding food related business in Korea are provided in the form of the Food Code, Food Additive Code, Guidelines, Notices, etc. These detailed standards and regulations are the responsibility of KFDA.

4. Functional Food Act

The Functional Food Act, legislated by the Korean National Assembly, is the legal basis for MHW and KFDA oversight of functional foods (health foods & nutritional supplements). The Act aims to contribute to the improvement of national health and consumer protection by improving the safety and quality of functional foods and encouraging sound distribution and sales of such products.

5. Presidential Decree to the Functional Food Act

The Presidential Decree, issued December 18, 2003, established provisions to implement matters regulated by the Functional Food Act.

6. Ministerial Ordinance to the Functional Food Act

The Ministerial Ordinance, issued January 31, 2004, prescribed more detailed guidance on

how the Functional Food Act and its Presidential Decree are to be implemented. This ordinance includes inspection of imported functional food, penalties for violations, applications for import inspection, advertisements, etc. Other more detailed standards and regulations guiding functional food-related business in Korea are provided in the form of the Functional Food Code, Guidelines for Labeling of Functional Food, Guidelines for the Advertisement of Functional Food, relevant notices, etc. These detailed standards and regulations are the responsibility of KFDA.

B. Korea Food & Drug Administration:

KFDA is the principle government agency charged with ensuring that foods are safe, sound, wholesome and correctly labeled. KFDA is also responsible for ensuring that medicines are safe, effective, and that side effects are properly noted. Except for 102 meat, poultry and dairy products (which are regulated by the Ministry of Agriculture & Forestry per the Livestock Product Processing Control Act), KFDA is responsible for setting and implementing standards and specifications for food in general, functional foods, food additives, food packaging, containers and equipment. KFDA standards and specifications apply both to domestically produced and imported food products. Specific to imported food products, KFDA inspects products under provisions provided in the "Inspection Guidelines for Imported Food, etc." KFDA provides this guideline in Korean on its website: <http://www.kfda.go.kr>.

KFDA also sets and implements regulations governing safety evaluations of agricultural products enhanced through biotechnology (GMO) and GMO labeling requirements for processed food products manufactured using GMO ingredients. Per the KFDA Guidelines for Recombinant Food Labeling, established in August 2000, starting July 13, 2001, KFDA implemented labeling requirements for processed food products containing GMO soybeans and corn, or their derivatives, as one or more of the top five major ingredients. Moreover, KFDA establishes the Korean Hazard Analysis of Critical Control Point (HACCP) and recall systems for food products (excluding meat, poultry, egg and dairy products). KFDA also regulates non-food-related products, including cosmetics, vaccines, blood products, medical devices and radiation-emitting products.

To support its science-based regulatory decisions, KFDA oversees the National Institute of Toxicological Research, which utilizes in vitro and in vivo analytical methods focused on the research and development of effective testing methods. In KFDA, the Food Headquarters and the Nutrition & Functional Food Headquarters, encompassing four teams respectively and the Food Safety Evaluation Department and the Risk Management Bureau are dedicated exclusively to food-related issues. KFDA headquarters also oversees six regional KFDA offices. KFDA publishes its food-related regulations, including the Food Code, Food Additive Code, Labeling Standards for Food, Labeling Standards for Recombinant Food, Guidelines for Safety Assessment for Recombinant Food, functional food regulations, etc., on its website: <http://www.kfda.go.kr>.

1. Food Code

The Food Code stipulates standards and specifications for manufacturing, processing, usage, cooking, storage of food and equipment, containers and packaging for food products. It specifies the standards for maximum residue levels of agricultural chemicals, antibiotics, synthetic antibiotics, hormones, radioactive ray standards, testing methods, etc. The Food Code contains general standards and specifications governing food products and individual standards and specifications for 126 food categories, delineated into 19 groups. A revision made on May 24, 2004 expanded the list of food products for which irradiation is permitted under the Food Code. Revision issued on April 8, 2005 and April 20, 2006 established new

Maximum Residue Limits (MRLs) and modified existing MRLs and MRLs for veterinary drugs. The Food Code was last updated April 20, 2006.

2. Food Additive Code

The Food Additive Code defines standard specifications for individual food additives and usage standards. As of July 2006, the Food Additive Code lists standards for 424 types of chemical synthetics, 196 types of natural food additives, and 7 types of mixed food additives. Korea utilizes a “positive list” system for food additives meaning the only approved food additives are those that are approved for a specific use in the Additive Code. The latest revision, issued in December 2005, introduced a positive list for 1,834 synthetic flavorings.

3. Labeling Standards for Food.

“Labeling Standards for Food” aims to promote the sanitary treatment of food products, and to provide accurate information to consumers. The labeling standards for food, food additives and packaging are based on Article 10 of the Food Sanitation Act. The revision, dated July 2000, introduced the principal display panel labeling requirement, the labeling criteria for organic products, etc., and removed the food category labeling requirement for the majority of food products. A revision in March 2003 introduced labeling requirements for 11 food products that could be considered allergens. The latest revision, issued March 7, 2005, requires that all ingredients must be listed on the product label, “high caffeine content” must be declared for certain products, and additional nutrition labeling must be added to the label among other requirements. See Section II for details.

4. Labeling Standards for Recombinant Food (i.e., labeling standards for processed food products containing ingredients enhanced through biotechnology)

In August 2000, KFDA released the Labeling Standards for Recombinant Food. Starting July 13, 2001, mandatory labeling went into effect for 27 items. The standards require labeling of processed food products and unprocessed corn or soybeans used for further processing with 3 percent or higher GMO corn or soybean content. See Section II for details.

5. Functional Food Code

The Functional Food Code was established on January 31, 2004 and revised on May 26, 2005. The Code contains general standards and specifications governing functional foods, and individual standards and specifications for 37 categories. Functional foods must be in the form of tablets, pills, capsules, granules, powders, or liquids. A food product that meets the criteria of one of 37 defined categories is permitted to carry a health efficacy claim. Anyone wishing to export a functional food that is not one of 37 categories specified in the Code can apply to KFDA for: 1) recognition of raw materials that have specific health effects (efficacy); and, 2) recognition of the new category. Details about recognition procedures, required documents, etc., are provided on the KFDA website at www.kfda.go.kr in Korean.

C. Ministry of Agriculture & Forestry:

The Ministry of Agriculture & Forestry (MAF) is responsible for establishing regulations and standards related to agricultural products, including livestock and dairy products. Several agencies within MAF are responsible for issuing and enforcing regulations. The National Veterinary Research & Quarantine Service (NVRQS) is responsible for implementing regulations pertaining to both domestic and imported animals and livestock products. The

National Plant Quarantine Service (NPQS) is responsible for implementing regulations pertaining to plants. The National Agricultural Product Quality Management Service (NAQS) is responsible for setting quality standards and grades for agricultural products, such as organic standards for agricultural produce, and enforcing country of origin marks and GMO labeling of bulk corn and soybeans. In 2000, MAF designated NAQS as its official inspection agency for testing of GMO products. The primary role of the Rural Development Administration (RDA) is research and development of new agricultural technologies and extension work. RDA is pro-biotechnology and is actively pursuing GMO research for several products common in the Korean diet. RDA is also conducting environmental risk assessments of biotech crops. Given its technical expertise, RDA is the technical advisor on MAF policy regarding GMO products. In March 2001, RDA began inspecting GMO products for one year during which time it transferred its technical expertise to NAQS. Since March 2002, NAQS has taken full responsibility for GMO inspection, including random sampling of products from retail markets and testing for GMO content. In 2001, MAF established the "GMO Task Force Team," which oversaw labeling enforcement for unprocessed GMO commodities (soybeans, corn, soybean sprouts, and potatoes), to ensure the smooth enforcement of new GMO labeling requirements. In 2002, however, the team was disbanded and the MAF Food Industry Division took over the function. In 2003, MAF established two new divisions, the Consumer Safety Division responsible for GMO labeling and consumer policy, and the Agricultural Technology Support Division responsible for policy related to environmental risk assessments of GMOs.

1. National Veterinary Research & Quarantine Service

The National Veterinary Research & Quarantine Service (NVRQS) is responsible for establishing sanitary controls for animal origin products from farm to table. NVRQS was established August 1, 1998, when the National Animal Quarantine Service and the National Veterinary Research Institute were merged. NVRQS is responsible for setting and implementing standards and specifications and labeling requirements for 102 meat, poultry, eggs, and dairy products in accordance with the Livestock Product Processing Control Act. These standards and specifications apply to both domestically produced and imported food products. NVRQS is responsible for operating HACCP and recalls for meat, poultry, eggs and dairy products. NVRQS headquarters, in Anyang, has three departments and 18 divisions. NVRQS has five regional offices and 15 district offices.

2. National Plant Quarantine Service

The National Plant Quarantine Service (NPQS) is responsible for preventing the introduction of harmful weeds, pests and disease originating from imported plants, fruits and vegetables. NPQS conducts pest risk analysis and determines the appropriate eradication method for detected pests. NPQS sets and enforces quarantine requirements for imported plants, fruits and vegetables. NPQS headquarters, in Anyang, has five divisions and five regional offices with 22 district offices located in major Korean cities and ports.

3. Rural Development Administration

The Rural Development Administration (RDA) is responsible for developing the rural sector and administering policies on research and development, extension service, and training for farmers.

Under RDA there are eight research institutes, and the Korea National Agricultural College. The research institutes include:

National Institute of Agricultural Science and Technology,

National Institute of Agricultural Biotechnology,
National Institute of Agricultural Engineering,
National Institute of Highland Agriculture,
National Institute of Subtropical Agriculture,
National Livestock Research Institute,
National Horticultural Research Institute, and
National Institute of Crop Science

With regard to biotechnology, RDA is currently conducting environmental risk assessments of biotech crops on a voluntary basis and developing GMO detection testing methods. RDA will conduct mandatory environmental risk assessments of biotech crops when the Act on Transboundary Movement, Etc., of Living Modified Organisms (LMO Act) goes into effect. The LMO Act is Korea's enforcement legislation for the Cartagena Protocol on Biosafety. The National Institute of Agricultural Biotechnology (NIAB) is developing 18 biotech-enhanced agricultural commodities with 45 varieties. Included are rice, chilies (red peppers), potatoes, Chinese cabbage, cabbage, perilla seeds, tomatoes, apples, watermelons, cucumbers, chrysanthemums, swine, chickens, etc. Herbicide tolerant rice, peppers, perilla seeds, and virus resistant potatoes are expected to be the first locally developed crops to become commercially produced in Korea. These Korean-developed biotech crops are currently undergoing safety assessments and are expected to be commercially produced in three to four years.

4. National Agricultural Product Quality Management Service

The National Agricultural Product Quality Management Service (NAQS) is responsible for setting quality standards and grades for agricultural products, enforcing country of origin marks, GMO labeling requirements, and organic labeling for fresh fruits, vegetables, and grains in the marketplace, and accrediting certifiers of non-processed organic produce. NAQS is the designated official agency for the inspection of labeling of unprocessed GMO commodities. NAQS collects samples from retail markets and tests products for GMO content with testing methods developed by RDA.

5. Acts, Regulations, Guidelines, etc., Governed by MAF or its Agencies

Korean language texts are available on the MAF's website: <http://www.maf.go.kr>.

(1) Livestock Processing Control Act

The purpose of this Act is to promote the sound development of the livestock industry and to improve public health by improving the quality of livestock products and by ensuring that they are sanitary. To this end, the Act specifies requirements for the slaughter and handling of livestock and the processing, distribution and inspection of livestock products. The Act is the legal basis for setting health standards provided in the Livestock Code (excluding antibiotic and pesticide standards for meat, poultry and dairy products which are governed under the Food Sanitation Act).

(2) Presidential Decree to the Livestock Product Processing Control Act

The purpose of the Presidential Decree is to establish which matters will come under the Livestock Product Processing Control Act and how the Act will be enforced.

(3) Ministerial Ordinance to the Livestock Product Processing Control Act

The purpose of the Ministerial Ordinance is to establish which matters will come under the Livestock Product Processing Control Act and the corresponding Presidential Decree, and how the Act and the Decree will be enforced. The ordinance establishes the basics needed to conduct livestock product businesses and the relevant penalties for non-compliance. It also provides samples of forms needed to conduct such businesses.

(4) Livestock Code

The purpose of the Livestock Code is to provide health standards for meat, poultry and dairy products, such as microorganism standards, criteria and standards for livestock products, etc. (excluding antibiotic and pesticide standards which are defined in the Food Code under the Food Sanitation Act). The current Livestock Code is drawn from the 1996 Food Code. The April 2006 version is the latest edition of the Code.

(5) Livestock Epidemics Prevention & Control Act

The purpose of the Livestock Epidemics Prevention & Control Act is to enhance the development of the livestock industry and to improve public health by preventing the outbreak and spread of livestock epidemics. This Act focuses on live animals, whereas the Livestock Processing Control Act focuses on livestock products.

(6) Presidential Decree to the Livestock Epidemics Prevention & Control Act

The purpose of the Presidential Decree is to establish which matters will come under the Livestock Epidemics Prevention & Control Act and how the Act will be enforced.

(7) Ministerial Ordinance to the Livestock Epidemics Prevention & Control Act

The purpose of the Ministerial Ordinance is to establish which matters will come under the Livestock Epidemics Prevention & Control Act and the corresponding Presidential Decree, and how the Act and Decree will be enforced.

(8) Import Health Requirements for Various Animals

Live animals and animal products should comply with the standards as specified by the relevant MAF provisions issued by the Animal Health Division (AHD). AHD makes regulations and NVRQS enforces them. Korea's health requirements for livestock and products can be found in English on the USDA's [Food Safety & Inspection Service \(FSIS\)](#) website.

(9) Labeling Standards for Livestock Products

The purpose of these standards is to ensure the sanitary processing and handling of livestock products. It requires that consumers be provided accurate information by establishing the labeling standards for livestock products, containers, equipment, packaging and stamping dyes based on Article 6-1 of the Livestock Processing Control Act. The September 2005 version is the latest edition.

(10) Plant Protection Act

The purpose of the Plant Protection Act is to safeguard agricultural and forestry production by establishing quarantine regulations for imported and domestic plants.

(11) Presidential Decree to the Plant Protection Act

The purpose of the Presidential Decree is to establish which matters will come under the Plant Protection Act and how the Act will be enforced.

(12) Ministerial Ordinance to the Plant Protection Act

The purpose of the Ministerial Ordinance is to establish which matters will come under the Plant Protection Act and the corresponding Presidential Decree, and how the act and Decree will be enforced.

(13) Import Plant Inspection Guideline

The Import Plant Inspection Guideline defines inspection procedures for imported plants and plant materials and establishes specific principles for the inspection and disposition of imported plants as delegated to the Director General of NPQS in the Plant Protection Act, the corresponding Presidential Decree to the Act and the Ministerial Ordinance to the Act.

(14) Agricultural Products Quality Control Act

The Act, passed by the National Assembly in December 1998, includes provisions governing agricultural GMO products and labeling, country of origin marks, geographical indication (GI), trace-back, etc. The Act gives MAF a legal basis for its requirements regarding the labeling of unprocessed GMO commodities for the purpose of providing accurate product information to consumers.

(15) Presidential Decree to the Agricultural Products Quality Control Act

The purpose of this Decree is to establish which matters will come under the Agricultural Products Quality Control Act and how the Act will be enforced. In June 1999, the Decree was revised to add provisions governing the labeling of unprocessed GMO commodities. The July 2002 revision gives manufacturers the option to include "May Contain GMO" on product labels. The January 2006 is the latest edition.

(16) Guideline for Labeling of Genetically Modified Agricultural Products

The Guideline, proposed on December 1, 1999 and finalized on April 22, 2000, provides details on labeling requirements for unprocessed GMO commodities, including a list of commodities subject to GMO labeling, labeling methods, etc. According to the guideline, four unprocessed GMO commodities (soybeans, bean sprouts, corn, and potatoes) must be labeled as GMOs if three percent or more of the shipment contains a biotech-enhanced component. The guideline calls for GMO labeling for soybeans, bean sprouts, and corn as of March 2001, and for potatoes as of March 2002. (GMO products, if used for animal feed, do not have to be labeled. Only those products destined for human consumption must be labeled.) See Section II for details.

(17) Sustainable Agriculture Promotion Act

The purpose of the Act is to promote environmentally sustainable "organic" agriculture by introducing production methods and techniques to protect the environment, by reducing environmental pollution related to agriculture, and by encouraging the adoption of sustainable agriculture.

(18) Presidential Decree to the Sustainable Agricultural Promotion Act

The purpose of the Presidential Decree is to establish which matters will come under the Sustainable Agricultural Promotion Act and how the Act will be enforced. The June 2006 revision is the latest one.

(19) Ministerial Ordinance to the Sustainable Agricultural Promotion Act

The purpose of the Ministerial Ordinance is to establish which matters come under the Sustainable Agricultural Promotion Act and the corresponding Presidential Decree, and how the Act and Decree will be enforced. It establishes quality control standards for four types of sustainable agricultural produce: organic produce, transitional organic produce, no-pesticide produce, and low-pesticide produce. This Ordinance also establishes requirements for organic certifying agents, certification, etc. The April 2006 revision is the latest version.

(20) Guideline for Country of Origin (COO) for Agricultural Products

The purpose of the guideline is to protect consumers and agricultural producers from mislabeled products. COO labeling of domestic agricultural products and raw materials used in domestically processed agricultural products is required under Article 17 of the Agricultural & Fishery Products Quality Control Act and Articles 38 to 40 of the corresponding Presidential Decree. COO labeling of imported agricultural products is required under Article 53 of the Presidential Decree of the Foreign Trade Act. The April 2006 revision is the latest version.

(21) Seed Industry Act

The Act, implemented December 31, 1997 and revised January 26, 2001, brought Korea into compliance with its WTO Trade Related Aspects of Intellectual Property Rights (TRIPS) and OECD commitments related to the trade of planting seeds. The focus of the Act is the protection of intellectual property rights. The Act did not liberalize imports of major staple crop seeds.

The Seed Industry Act combined provisions of the Seedling Management Act, which governed vegetable seeds, and the Major Agricultural Seed Act, which governed major field crop seeds. The corresponding Presidential Decree and Ministerial Ordinance became effective December 31, 1997 and January 24, 1998, respectively. On June 1, 2000, the seed fund provision of the Seed Industry Act was deleted. The January 2001 version included a revision of Article 165, which strengthened the management of genetic resources at the national level.

For more information regarding general planting seed regulations, contact:

Dr. Keun Jin CHOI
National Seed Management Office
Ministry of Agriculture and Forestry
Phone: 82-31-446-2432
Fax: 82-31-448-1216
e-mail: kjchoi@seed.go.kr

D. Ministry of Maritime Affairs & Fisheries

The Ministry of Maritime Affairs & Fisheries (MOMAF) was established in 1994 with the merging of the National Maritime Affairs Administration and the National Fisheries Administration. MOMAF is responsible for making policies and plans for maritime affairs and

fisheries, maintaining facilities and materials, and overseeing all operations related to maritime affairs and fisheries.

Various sub-organizations come under the jurisdiction of MOMAF's Minister such as:

National Fisheries Research & Development Institutes,
Korea Maritime Safety Tribunal,
National Oceanographic Research Institute,
National Fisheries Products Quality Inspection Service,
Regional Maritime Affairs and Fisheries Offices, and
Maritime Affairs & Fisheries HRD Institute.

On December 31, 2002, MOMAF introduced a labeling requirement for three fishery items enhanced through biotechnology: rainbow trout, Atlantic salmon, and mud loach. This labeling requirement will be mandated when the LMO Act, Korea's enforcement legislation for the Cartagena Protocol on Biosafety, goes into effect. The National Fisheries Products Quality Inspection Service (NFPQIS) has been designated as the enforcement agency for biotech labeling of fishery products. NFPQIS is also charged with inspection of fishery products, whether produced in Korea or imported.

1. Fishery Products Inspection Act

The purpose of the Act is to promote quality improvement and standardization of fishery products through inspection. It is the legal basis for the fishery inspection work conducted by NFPQIS.

2. Presidential Decree to the Fishery Products Inspection Act

The Presidential Decree provides provisions for implementing the Fishery Products Inspection Act.

3. Ministerial Ordinance to the Fishery Products Inspection Act

The Ministerial Ordinance to the Fishery Products Inspection Act prescribes the articles delegated by the Fishery Products Inspection Act and the corresponding Presidential Decree, and the necessary implementing articles, including the detailed standards that fish and products must meet.

E. Ministry of Commerce, Industry, & Energy

The Ministry of Commerce, Industry, & Energy (MOCIE) is mainly responsible for establishing trade policy related to export and imports of goods in general. MOCIE was designated as the national competent authority for implementation of the Cartagena Protocol on Biosafety (CPB). As such, the Act on Transboundary Movement of Living Modified Organism (LMO Act) and its Presidential Decree and Ministerial Ordinance, regulations to implement the CPB was drafted by MOCIE and finalized and announced on March 28, 2001, September 30, 2005, and March 10, 2006 respectively. These regulations will become effective 90 days after Korea's ratification of the CPB. For more information about the CPB, see Attaché Report KS6074.

1. Act on Transboundary Movement, Etc., of Living Modified Organisms (LMO Act)

The purpose of this Act is to implement the Cartagena Protocol on Biosafety and to ensure the safe development, production, importation, exportation, commercialization, etc., of

living modified organisms. This Act provides guidance on import approval, mandatory risk assessment, labeling, etc., of living modified organisms (LMO) or GMO commodities. See Attaché Report KS 1029 for an English translation of the Act.

2. Presidential Decree of the LMO Act

The purpose of the Decree is to stipulate the provisions delegated by the LMO Act and the provisions deemed necessary to implement the Act. This Decree establishes the responsibilities of the relevant government agencies; the procedures for the importation, production, export notification, transit report, etc., of LMOs; procedures for designating the agencies responsible for risk assessments and specialized review agencies; labeling and handling requirements; the creation and operation of a bio-safety clearing house, etc.

3. Ministerial Ordinance of the LMO Act

The purpose of this Ordinance is to stipulate the provisions delegated by the LMO Act and its Presidential Decree and the provisions deemed necessary to implement the Act and Decree. This Ordinance includes document requirements for import approval of LMOs, safety assessments, environmental risk assessments, production approval, etc.

SECTION II. LABELING REQUIREMENTS

Labeling requirements change frequently and importers must keep abreast of changing regulations. In addition to the following requirements, country of origin labeling is required on food products. Korean language stickers can be applied at the port of entry.

A. Labeling Standards for Food et al (Administered by KFDA)

In June 1998, KFDA was legally delegated authority for food labeling standards. The KFDA Food Safety Policy Team is responsible for establishing labeling standards for food products. KFDA regional offices enforce labeling standards. Provincial government health officials also have the authority to enforce labeling standards.

With the exception of 102 meat, eggs, and dairy products, which are regulated by the MAF, all imported food products are required to be labeled with the necessary information in Korean. Stickers may be used instead of manufacturer-printed Korean language labels for general food products. The sticker should not be easily removable and should not cover the original labeling. For functional food items, however, stickers are not permitted. Manufacturer printed Korean language labels must be used on such products.

Labels should have the following inscriptions printed in letters large enough to be readily legible:

(1) Product Name. The product name should be identical to the product name declared to the licensing/inspection authority.

(2) Product type. This is mandatory for specially designated products, such as teas, health supplementary foods, etc.

(3) Importer's name and address, and the address where products may be returned or exchanged in the event of defects.

(4) Manufacture date (month, and year). This is mandatory for specially designated products, such as boxed lunches, sugar, liquor, and salts. For liquors, a manufacture number (lot number) or bottling date can substitute for the manufacture date.

(5) Shelf life. Food product labels should indicate the manufacturer-determined shelf life. If various kinds of products are packaged together, the shelf life expiration date of the product with the shortest life should be noted on the label.

(6) Contents. Weight, volume or number of pieces should be indicated. If the number of pieces is shown, the weight or volume must be indicated in parentheses.

(7) Ingredient names and content. Effective September 7, 2006, the names of all ingredients will have to be included on the Korean language label. Artificially added purified water and names of ingredients used to make a composite raw ingredient amounting to less than five percent of the product in weight will be excluded from the requirement. In case of a composite raw ingredient amounting to less than five percent of the product by weight, only the name of the composite raw ingredient must be listed on the Korean language label. In the case of a composite raw ingredient amounting to over five percent of the product by weight, the names of all ingredients contained in the composite raw ingredient must be listed on the Korean language label. Ingredients must be listed in order of predominance by weight, that is, the ingredient that weighs the most is listed first, and the ingredient that

weighs the least is listed last. Food additives must also be listed by full name, abbreviated name, or purpose on the label (e.g. Ferric Citrate, FECitrate, or nutrient fortified substance). Food items known to be food allergens must be indicated on the label even if they are added as part of a mix at minimal levels. Food items considered as food allergens include eggs, milk, buckwheat, peanuts, soybeans, wheat, mackerel, crab, pork, peaches and tomatoes. Any food product containing one or more of the 11 items listed above as a raw ingredient(s) must indicate so on the Korean language label.

(8) Nutrients. Only special nutritional foods, health supplement foods, breads, noodles, retort foods, products for which nutritional labels are sought, and products for which a nutrient emphasis mark is desired are currently subject to nutritional labeling. However, in accordance with the March 2005 revision, beginning in September 2006, nutritional labeling requirements will be expanded to include foods frequently consumed by children such as chocolate, candy, snacks, cookies, chips, doughnuts, cakes, jams, beverages, etc. Details are provided in the "Nutritional Labeling Requirements" section below. KFDA issued a draft revision of Labeling Standards for Food et al. on June 27, 2006. The draft revision proposes to introduce serving sizes and to require listing of sugar, trans fat, cholesterol, etc. on the nutritional label.

(9) Other items designated by the detailed labeling standards for food. This includes cautions and standards for use or preservation (e.g., drained weight for canned products, radiation-processed products, etc.).

The revision, dated July 2000, introduced the principal display panel labeling requirement, the labeling criteria for organic products, etc., and removed the food category labeling requirement for the majority of food products.

The principal display panel must contain the product name and content information. If this is not feasible, such information must be provided on a Korean language sticker using a 12-point or larger font size.

Categories exempt from labeling requirements

1. Agricultural products such as grains; fishery items, such as whole frozen fish; and fruits, that are not contained in a container or package, etc.
2. Foods, etc., to be used for manufacturing for a company's own use. (Documents that show such intent need to be provided.) In this case, the name of the product, the name of the manufacturer, and manufacture date or shelf life shall be indicated on the original package.
3. Products imported for the purpose of acquisition of foreign currency, under the provisions of Article 34 of the Ministerial Ordinance to the Foreign Trade Act.

Nutritional labeling requirements

These requirements are specified in the Labeling Standards for Food et al. Nutritional labeling is optional for most food products. Labeling must be in Korean and must use Korean nutrient reference values. Products not subject to mandatory nutritional labeling can carry the standard U.S. nutritional fact panel as is. Korea requires nutritional labeling complying with Korean labeling requirements for the following food categories:

1. Special nutritional food or health supplements

2. In the event that specific nutrients are emphasized (e.g., if a product is labeled as "calcium enriched yogurt," the content of the calcium must be labeled).
3. If nutritional labeling written in Korean is voluntarily included on a product, the label must comply with Korean nutritional labeling requirements.
4. Bread, noodles (cooked noodles, fried noodles, and improved cooked noodles only), and retort foods
5. Candy, chocolate, cakes, doughnuts, cookies, biscuits, snacks, jam, beverages, and all noodles (effective as of September 6, 2006)

If a product does not fall under one of the above categories, a nutritional label is not required.

On March 7, 2005, KFDA issued a revision of the Labeling Standards for Food et al. In that revision, KFDA extended nutrition labeling to candy, chocolate, cakes, doughnuts, cookies, biscuits, snacks, jam, beverages, etc. KFDA granted a grace period until September 6, 2006.

High Caffeine Content Labeling Requirements

The March 7, 2005 revision to the labeling standards for food also introduced a "high caffeine content" declaration requirement for food containing high levels of caffeine. Products with artificially added caffeine and liquid products made from raw material containing caffeine where the level of caffeine in the liquid product exceeds 0.15 mg/ml are required to state that the product has "high caffeine content" on the principal display panel. However, this requirement does not apply to products for which "coffee" or "tea" is used as the product name or part of the product name. This requirement will be enforced from September 6, 2006.

Use of Emphatic Terms in Nutrient Content Labeling

Korea currently does not allow health efficacy claims on food product labels except for products that meet the criteria of functional foods. However, terms such as "low," "non," "high," "rich in ...," and "contains ..." may be used only when the general standards and the standards for nutrient claims specified below are met:

General standards

- The emphatic terms "non" or "low" may be used only if the amount of the relevant nutrient is reduced or eliminated through manufacturing or processing. Use of the terms "non" or "low" is prohibited for food that is naturally "low" in a particular nutrient without having to reduce the nutrient in question through a manufacturing process (e.g., "low fat apples").
- When the emphatic term "non" or "low" is used for saturated fat, the amount of cholesterol contained in a product must be stated. However, the product may be exempted from the requirement if the product meets the standards for "no cholesterol" products.

Standards for Nutrient Content Labeling

Nutrients	Emphatic term	Conditions
Calories	Low	Less than 40kcal/100g or 20kcal/100ml of food
	Non	Less than 4kcal/100ml
Fat	Low	Less than 3g/100g or 1.5g/100ml
	Non	Less than 0.5g/100g or 100ml
Saturated fat	Low	Less than 1.5g/100g or 0.75g/100ml and less than 10% of calories
	Non	Less than 0.1g/100g or 0.1g/100ml
Cholesterol	Low	Less than 20mg/100g or 10mg/100ml; and saturated fat is less than 1.5g/100g or 0.75g/100ml of food and less than 10% of calories.
	Non	Less than 5mg/100g or 100ml; and saturated fat is less than 1.5g/100g or 0.75g/100ml and less than 10% of calories.
Sugars	Non	Less than 0.5g/100g or 100ml of food
Sodium	Low	Less than 120mg/100g
	Non	Less than 5mg/100g
Dietary fiber	Contained or Source of	Not less than 3g/100g or 1.5g/100kcal
	High or Rich	Not less than 6g/100g or 3g/100kcal
Protein	Contained or Source of	Not less than 10% of daily values/100g of food, 5% of daily values/100ml or 5% of daily values/100kcal
	High or Rich	Not less than 20% of daily values/100g, 10% of daily values/100ml or 10% of daily values/100kcal
Vitamins or minerals	Contained or Source or	Not less than 15% of daily values/100g, 7.5% of daily values/100ml or 5% of daily values/100kcal
	High or Rich	Not less than 30% of daily values/100g, 15% of daily values/100ml or 10% of daily values/100kcal

The terms such as "less," "more," "reduced or light," "fortified," and "added" may be used only if all the following conditions are met:

- If the differences in the amounts of nutrients can be stated in percentage or in absolute values in comparison with the standard values of other products. In this case, the standard values of other products must be calculated based on the products of the same type from three or more companies with the largest market shares.
- As for calories and nutrients that are usually contained in a food in large quantities, the differences between the contained quantities and the standard values of other products shall be not less than 25 percent; and as for nutrients that are usually contained in very small quantities, the differences shall be not less than 10 percent of the recommended minimum daily values. In addition, the absolute quantity differences shall be larger than the reference values specified for the use of the term "low" if the term "less," "light," or "reduced" is to be used; and larger than the reference values specified for the use of the term "contained" if the term "more," "fortified," or "added" is to be used.

Korea nutrient reference values are as follows.

Nutrient Reference Values

Nutrients	Values	Nutrients	Values
Carbohydrate (g)	328	Vitamin B2 (mg)	1.2
Dietary fiber	25	Niacin (mg NE)	13
Protein (g)	60	Vitamin B6 (mg)	1.5
Fat (g)	50	Folic acid (µg)	250
Saturated fat (g)	15	Vitamin B12 (µg)	1.0
Cholesterol (mg)	300	Biotin (µg)	30
Sodium (mg)	3,500	Pantothenic acid (mg)	5
Potassium (mg)	3,500	Phosphorus (mg)	700
Vitamin A (µg RE)	700	Iodine (µg)	75
Vitamin C (mg)	55	Magnesium (mg)	220
Calcium (mg)	700	Zinc (mg)	12
Iron (mg)	15	Selenium (µg)	50
Vitamin D (µg)	5	Copper (mg)	1.5
Vitamin E (mga – TE)	10	Manganese (mg)	2.0
Vitamin K (µg)	55	Chrome (µg)	50
Vitamin B1 (mg)	1.0	Molybdenum (µg)	25

Vitamin A, Vitamin D, and Vitamin E must be expressed in the units specified above, but the values in International Units (IU) may be stated in parentheses.

A draft revision issued on June 27, 2006 includes changes to nutrient reference values, which proposed to reduce Sodium to 2,000 mg and to increase Vitamin C to 100 mg.

Functional Food Labeling Requirements

Labeling Standards for Functional Food were established January 31, 2004. In accordance with those standards, a manufacturer's printed Korean language label must be on the product. It should have the following information, in addition to those required for general food products listed above: 1) functional food to be indicated; 2) information on the efficacy claim; 3) intake directions and cautions; 4) a statement that the product is not a pharmaceutical product that prevents or heals disease; and, 5) other points as required in the detailed labeling guidelines for functional food. The November 2005 edition is the latest revision.

Organic Labeling Requirements for Processed Products

These labeling requirements are now specified in the Labeling Standards for Food et al. The labeling standards for organic products are:

1. Organic raw materials of imported food products must be equal to or better than the quality standards specified in Article 16, Paragraph 2, of the Environmental Agricultural Promotion Act, and Article 7, Annex 1, of the Enforcement Regulations of the Act.
2. If organic raw materials of imported food products are not subject to the quality standards specified in the above Korean regulations, such products must meet the relevant quality standards of the exporting country.
3. Organic and non-organic agricultural products can not be used in a mixture as one raw material.

4. Raw materials not included on the list of raw materials permitted for use in the manufacture or processing of organic food products (See Section IV) can not be used. In accordance with the Labeling Standards for Food et al., "raw material" is defined as a material, except for purified water purposely applied to the product, that is used for the manufacturing, processing or cooking of food or food additives and that are contained in the final product.
5. Irradiated raw materials can not be used.
6. Genetically modified foods or food additives can not be used or detected.
7. The container or package used for a food may be recycled or made of biodegradable material.
8. The determination as to whether an imported food meets the standards specified in (1) through (7) above may be based on a certificate issued by an organization which satisfies the qualifications to be a certifying entity under the relevant regulations of: A) the exporting country, or B) a reliable organization certified by a recognized international body, such as IFOAM (International Federation of Organic Agricultural Movements).

For such determination, KFDA has completed the review of the U.S. National Organic Program (NOP) and recognized USDA-accredited certifying agents as foreign organic certifiers able to issue organic certificates for U.S. imported food products. To date, KFDA has recognized 296 foreign organic certifiers. Of those, 55 are USDA-accredited certifying agents located in the United States.

KFDA accepts organic certificates issued by USDA-accredited certifying agents located outside the United States for U.S. products that were produced, manufactured, etc., by U.S. organic farms or U.S.-based companies. Based upon KFDA's Labeling Standards for Food et al., imported organic food products must be certified by certifiers accredited by the exporting country's government. Therefore, KFDA will not accept certificates issued by USDA-accredited certifying agents located outside the United States for non-U.S. origin products.

In 2005, KFDA formalized its zero tolerance policy for biotech components in organic processed products by revising a provision of the "Labeling Standards for Food et al" regulations. The change was implemented by adding the words "or detected" to item 6 of the Organic Labeling Requirements listed above. As in the past, KFDA continues to test organic food products on a random basis. However, KFDA will test product at the request of non-governmental organizations if the organization is able to provide test results indicating that the product contains biotech content.

Organic Labeling

Labeling may be done in the following manner depending on the content of organic agricultural ingredients in a food product.

1. 100%: when the finished food product does not contain any other food or food additive except for organic agricultural ingredients, the label "100% organic agricultural product" or similar labels may be used.
2. Not less than 95%: when not less than 95 percent of the raw materials contained in the finished food product are organic agricultural ingredients, the term "organic" or similar terms may be used as a part of the product name and stated on the main labeling panel of the container or package; and the name, seal and logo of the organization that certified the

organic agricultural produce used in the product, as well as other certification information, may be stated. In this case, the content of the organic agricultural ingredients must be stated in percentage terms on the raw material section of the label.

3. Less than 95% but more than 70%: when 70 percent or more but less than 95 percent of raw materials contained in the finished food product are organic agricultural ingredients, the term "organic" or similar terms may be stated on a labeling surface of the container or package other than the main labeling panel. In this case, the content of the organic agricultural ingredients must be stated in percentage terms on the raw materials section of the label.

4. Others: when a food not included in (1) through (3) above includes organic agricultural products, the term "organic" or similar terms may be used as a part of the names of such ingredients on the raw materials section of the label. In this case, the content of individual organic agricultural ingredients must be stated in percentage terms on the raw materials section of the label.

Documentation Requirements to Qualify for Imported Organic Food Products

The following two documents should be presented to regional offices of the KFDA when submitting an import application for organic food products for import clearance:

1. A copy of an organic certificate issued by the USDA-accredited certifying agent. The certificate must include the following information:

(a) Name, address, and phone number of the certifying agent

(b) A list of the types of organic food the operation is certified by the certifying agent to produce or process

(c) The company name, address, and effective date (or renewal date) of the certification

2. An original ingredient statement (a list of all ingredient names) issued by the manufacturer (only required for organic food products made of mixed ingredients) that includes the office/department/division name, name and signature of the issuer.

Please note that a "transaction certificate" is no longer required for imported organic food products. Contact information for the KFDA teams responsible for labeling is:

For organic labeling

Food Import Team

Food Headquarters, KFDA
5 Nokbeon-dong, Eunpyung-ku
Seoul, Korea 122-704
Phone: 82-2-380-1733/34
Fax: 82-2-388-6392

For nutrition labeling

Nutrition Evaluation Team

Nutrition & Functional Food Headquarters
5 Nokbeon-dong, Eunpyung-ku
Seoul, Korea 122-704
Phone: 82-2-380-1678/80
Fax: 82-2-380-1358

B. Labeling Standards for Livestock Products (Administered by MAF)

A person or business that wants to make an import declaration, in accordance with Article 6-1 of the Livestock Processing Control Act, should indicate the relevant information on the livestock product label.

1. According to Article 3 of the Labeling Standards for Livestock Products, the relevant information to be included on the label is:

- (a) Product name
- (b) Type of processed livestock product
- (c) Name and address of company
- (d) Manufacture date – month and year (only certain designated products are required to list this item)
- (e) Shelf life
- (f) Content
- (g) Ingredients or raw materials and the percentage content by weight of any ingredients used in the product name or as a part of the product name
- (h) Nutritional data (only certain designated products are required to list this item)
- (i) Other items specified in Appendix Table 1 of the Labeling Standards for Livestock Products, according to the “Detailed Labeling Standards for Livestock Product et al.”

Labels should be in the Korean language and written in ink, engraved or stamped in a manner that cannot be erased. However, registered trademarks in foreign languages (according to the Korean Trademark Law) and Chinese characters can be written next to the Korean writing.

2. Exemption from application: Imported livestock products may be exempt from the requirement to label in the Korean language if the product falls into one of the following categories:

- (a) Carcasses
- (b) Large packaged products (bulk type), limited only to raw materials to be repackaged prior to sale
- (c) Raw materials for manufacturing processed livestock products (i.e., frozen turkey to be used in manufacturing sausages)
- (d) Products permitted to be imported for the purpose of earning foreign currency per the Foreign Trade Management Regulations

The September 2005 revision of the livestock labeling requirements is the latest edition. The next revision, effective January 1, 2007, will require that the names of all ingredients be included on the Korean label and expand nutritional labeling requirements to dairy products including milk, fermented milk, processed milk, ice cream, milk formula, milk powder and sausages. Contact information for the NVRQS division responsible for livestock product labeling follows:

Quarantine Inspection Division

Department of Inspection of Livestock Products
National Veterinary Research & Quarantine Service

#480 Anyang 6-dong, Manan-ku, Anyang-shi
Kyunggido, Korea
Phone: 82-31-467-1744/42; Fax: 82-31-467-1717

C. Labeling Regulations for Unprocessed GMO products (Administered by MAF)

On April 22, 2000, MAF issued final guidelines for the labeling of unprocessed GMO commodities intended to be used for human consumption. Starting March 1, 2001, mandatory labeling went into effect for three unprocessed GMO commodities (soybeans, bean sprouts, and corn) if three percent or more of the shipment contains biotech-enhanced ingredients. In March 2002, MAF extended its labeling requirement to include unprocessed GMO potatoes. These regulations do not apply to feedstuffs.

Labels must comply with the following:

1. Raw GMO agricultural commodities must be labeled as "Genetically Modified XX (*insert the name of the agricultural product*)."
2. Agricultural commodities containing a GMO component must be labeled as "Containing Genetically Modified XX (*insert the name of the agricultural product*)."
3. Agricultural commodities that possibly may contain a GMO agricultural component (but the importer is not certain) must be labeled as "May contain Genetically Modified XX (*insert the name of the agricultural product*)."
4. Raw unprocessed agricultural commodities that are 100-percent GMO free may be labeled as "Non-GMO" or "GMO Free" on a voluntary basis. Please note that the three percent maximum threshold allowance does not apply to such commodities. Furthermore, usage of the terms "Non-GMO" or "GMO Free" is limited to products under the purview of MAF. KFDA does not permit such terms to be used for products under its control. (See Attaché Report KS1004 for details.)

The National Agricultural Product Quality Management Service (NAQS) is the designated official inspection agency for unprocessed GMO commodities. Since March 2002, NAQS has taken full responsibility for GMO testing of raw soybean, corn, bean sprout, and potato samples collected from retail markets.

Contact information for the MAF division responsible for unprocessed GMO commodity labeling follows:

Consumer Information and Food Safety Division

Ministry of Agriculture & Forestry
1 Choongang-dong, Kwacheon City
Kyunggi-do, Korea 427-760
Phone: 82-2-2110-4349 or 4350; Fax: 82-2-503-7277

D. Labeling Standards for Recombinant Food (Administered by KFDA)

In August 2000, KFDA announced the Labeling Standards for Recombinant Food (labeling standards for processed food products containing ingredients enhanced through biotechnology).

Effective July 13, 2001, the KFDA began requiring the labeling of processed food products and unprocessed agricultural food products for further processing that contain ingredients enhanced through biotechnology.

1. Processed food products shall be labeled when:

(a) The primary ingredient is subject to MAF biotech labeling requirements (presently soybeans, corn and bean sprouts only, and not potatoes).

(b) The GM ingredient is one of five major raw materials used in the product.

(c) Recombinant DNA or foreign proteins are present in the final product.

2. An unprocessed agricultural commodity to be further processed into a food product must be labeled when:

(a) The agricultural commodity is subject to MAF biotech labeling requirements because it exceeds the threshold allowance for a GM component.

3. Labels must contain the following terminology:

(a) "Recombinant Food" or "Food Containing Recombinant XX" (e.g., "Food Containing Recombinant Corn") must be used for a food known to contain 100 percent biotech-enhanced ingredients. The text is to be indicated on the principle display panel in such a way that the consumer may easily recognize the label.

(b) "Recombinant" or "Recombinant XX" (e.g., "Recombinant Corn") must be used for a food known to contain a biotech-enhanced ingredient. The text is to be indicated in parentheses beside the name of the GMO ingredient listed as a raw material of the food.

(c) "May contain Recombinant XX" must be used for a product if an exporter or importer is not sure whether it contains a GMO ingredient or not.

4. Colors used to label the recombinant nature of the food shall be clearly distinguishable from the color of the container or package. Indelible ink, a stamp, brand, etc., shall be used so that the consumer may easily find the label.

5. Non-detachable stickers may be used for imported foods or food additives. Indelible ink, stamp or brand, etc., must be used.

6. The terminology "Non-GMO" and "GMO Free" is strictly prohibited for use on labels of processed foods.

7. No label shall be affixed to the product if the processed food is made using non-GMO ingredients or if one or more of top five major ingredients contain less than three percent GMO component. (In this case, documents listed below must be provided.)

D.1. Documents Required for Exemption from Korean Food & Drug Administration (KFDA) GMO labeling requirements for processed foods.

(Source: KFDA website).

1. Identity Preserved (IP) documentation is used most often to obtain exemption for the GMO labeling requirements for processed products containing raw corn or soybeans. The IP documentation for the raw corn or soybeans must be accompanied by a certification (or a

statement) that the finished product was made using IP corn or soybeans as detailed in subparagraphs (a) and (b) below:

(a) IP handling certification requirements for raw corn and soybeans: Separate certification must be issued at designated points from farm to the processing plant. Certification can be issued by any private entity responsible at each designated point in the process. Certification is required at the following points: seed purchase, crop production, crop storage, segregation, delivery, and shipping. KFDA accepts a photocopy of IP handling certificates.

(b) IP handling certification requirements for a finished product: Certification (or a statement) issued by the manufacturer, processor, seller or supplier of the final product shows that non-GMO ingredients are used in the manufacture of the product, or that the product contains less than three percent GMO ingredients (if one of the top five ingredients is corn or soybeans). KFDA requires the original document (**no copy**).

2. A government-issued certificate equivalent to an IP handling certification is also permitted. In lieu of the IP handling certificates noted in (a) above, KFDA accepts one of the following government-issued documents.

(a) For a country that does not produce or sell GMO crops or a particular GMO food, a government-issued certificate stating that the GMO agricultural crop or particular GMO food in question is not produced or sold in that country is acceptable. If the government does not submit the certification on behalf of the exporting country, the importer will be required to submit the original certificate with the first shipment of a product, with a photocopy of the original certificate with each subsequent shipment of the same product.

(b) For raw corn or soybeans, a government-issued certificate that verifies the presence of less than three percent GMO component is permitted.

(c) For processed food products, a government-issued certificate that states there is no presence of DNA or foreign protein is permitted. For example, if any government agency, including state, federal, or regional office of the state or federal government, issues a letter or statement saying that there is no presence of recombinant DNA or foreign protein in the final product, the original copy of such a document would be sufficient.

(d) A government-issued certificate that raw material used in the final product was handled under an IP program is permitted. In this case, documents covering IP handling at each point as identified in (a) above are required.

(e) Other documents recognized by the government of the exporter or manufacturer as equivalent to IP handling certificates is permitted. For U.S. origin processed food products, a notarized self-declaration stating that the products do not contain GMO ingredients is also accepted by KFDA as one of the documents to exempt products from GMO labeling requirements. However, the exporter/importer must submit IP documentation to KFDA in the event that random testing reveals the presence of GMO ingredients.

3. Test certificates: A test certificate issued by a domestic commercial laboratory, foreign government or foreign commercial laboratory is acceptable if it shows no presence of recombinant DNA or foreign protein in the final product. The original test certificate will be submitted to KFDA. KFDA issued official testing methods for GM soybeans, corn, and potatoes in late 2005. Please refer to KS 6064 for details about testing methods. KFDA has also developed a program for designating foreign or domestic laboratories for official GMO testing. To date, four domestic laboratories have been accredited by KFDA as an official GMO testing laboratory. Note: If the test shows a presence of GMO components in any event

(such as KFDA's random inspection), then a label must be affixed stating the product contains a GMO component.

4. Stickers "May contain GMO XX (*a name of agricultural product*)": If requirements of (a), (b) or (c) above cannot be met, the importer or exporter must apply a sticker on the product stating "May contain GMO XX." Such stickers can be applied in Korea prior to Customs clearance.

5. Testing in Korea: If the imported product arrives without appropriate documentation, it can be tested in Korea prior to Customs clearance. As noted in item 3 "test certificates" above; however, if the KFDA's random analysis tests positive for GMO components, the product must be labeled that it contains GMOs.

See Attaché Report KS 1046 and KS 6074 for details.

Contact information for the KFDA team responsible for GMO labeling follows:

Food Import Team

Food Headquarters, KFDA

5 Nokbeon-dong, Eunpyung-ku

Seoul, Korea 122-704

Phone: 82-2-380-1733/4; Fax: 82-2-388-6392

Please note that KFDA does not require biotech labeling for potato-based products. This requirement was supposed to go into effect July 2002 but was not enforced because no biotech potato seed has been sold in the United States (the only alleged biotech potato producing country) since 2000. Commercial production ended in 2001. If KFDA considers requiring biotech labeling for potato-based products, it will announce a list of potato-based products subject to the requirement and revise the current biotech labeling guidelines accordingly.

E. Labeling Regulations for Organic Agricultural Products - Sustainable Agriculture Promotion Act (Administered by MAF)

On December 13, 1997, the Sustainable Agriculture Promotion Act was passed. In December 1998, the Presidential Decree and the Ministerial Ordinance of the Act were released with the aim to identify matters covered by the Act and details needed to enforce the Act. The legislation was revised in January, June and July of 2001, and revised further in May 2003, March 2005, and in April and June of 2006.

In accordance with the above legislation, organic produce is classified into four categories: organic produce, transitional organic produce, no-pesticide produce, and low-pesticide produce, and can be labeled accordingly. For imported organic agricultural produce, the product is required to get certification from an official certification agency recognized by MAF. To date, MAF has officially designated 27 Korean certification agencies. No foreign entities have been designated. Unlike KFDA's labeling regulations for organic processed products, organic agricultural produce complying with the U.S. organic standards or international standards still needs certification from MAF's official certification agency to carry a "Korean language organic label" in the Korean market. Currently, a foreign language organic label (such as the USDA organic logo) for raw unprocessed products is permitted with MAF approval. However, such products are not permitted to be marked with as "organic" in the Korean language and are not permitted to carry the MAF organic logo.

The MAF Sustainable Agriculture Division establishes the regulations for organic products. The National Agricultural Products Quality Management Service (NAQS) enforces these regulations.

Sustainable Agriculture Policy Division

Food Grain Production Bureau, MAF
1 Choongang-dong, Kwacheon City
Kyunggi-do, Korea 427-760
Phone: 82-2-2110-4314 or 4315
Fax: 82-2-507-2096

Quality Management Division

NAQS
310 Choongang-ro, Manan-ku
Anyangshi, Kyunggi-do, Korea
Phone: 82-31-446-0127
Fax: 82-31-446-0903

F. Liquor Labeling (Administered by Korea Tax Administration)

As of October 1, 2002, liquor products must have labels that distinguish liquors for on-premise consumption, for home consumption, for sale in discount stores and for sale in duty-free shops. The on-premise use category does not require a separate label but the remaining three categories do.

1. The classification of usage must be indicated on the main label or supplementary label for imported liquor, and only on the main label for domestic products.
2. Liquors for consumption at home and discount store sale must be marked as "for home use" or "for discount stores" in white against a green or dark blue background. The writing must be printed in a color that can be clearly distinguished from label's main background color. Outlining it with a box is also acceptable.

Liquors for "at home use" and "discount stores" must also have a statement that reads "Not allowed to be sold in restaurants and bars" on the main label or supplementary label.

G. Country of Origin (COO) - (Administered by MAF)

According to COO labeling guidelines, many agricultural products, including most imported products, must be labeled by origin. Detailed labeling information is provided in the guideline for COO labeling. The National Agricultural Product Quality Management Service (NAQS) enforces COO requirements in the marketplace. As for imported products, the Korea Customs Service enforces COO requirements prior to Customs clearance. The April 2006 revision is the last edition of COO labeling guidelines.

Consumer Information and Food Safety Division

Agriculture Marketing Bureau, MAF
1 Choongang-dong, Kwacheon City
Kyunggi-do, Korea 427-760
Phone: 82-2-2110-4349 or 4350; Fax: 82-2-503-7277

SECTION III. PACKAGING AND CONTAINER REQUIREMENTS

“Standards & Specifications for Equipment and Container/Packaging” established by KFDA and printed in Chapter 6 of the Korean Food Code, includes general standards for equipment, container and packaging for food products and specifications for individual packaging materials.

The Ministry of Environment announced regulations in 1999 covering PVC shrink wrap packaging, which went into effect January 1, 2001.

Containers or packages that can be recycled must carry a “separation and discharge” sign. In accordance with the Act on the Promotion of Saving and Recycling of Resources, containers or packages that are made using paper, metal, glass, and plastic materials must be marked with a “separation and discharge” sign. The sign is to facilitate the recycling of wastes. The sign should indicate the type of material the package is composed of. For example, PET, HDPE, LDPE, PP, PS, PVC, or Other should be indicated for containers or packaging made of plastic materials. For metals, either iron or aluminum should be indicated. Either a printed label or a sticker label is acceptable. This requirement has been in place since January 1, 2003.

SECTION IV. FOOD ADDITIVE REGULATIONS

Food Additive Code (Administered by KFDA)

The "Food Additive Code" guides the use of all additives in foods in Korea. As of July 2006, Korea had a positive list of 627 approved food additives. Food additives are grouped into three categories: (a) chemical synthetics, (b) natural additives, and (c) mixture substances. Most additives and/or preservatives are approved and tolerance levels are established on a product-by-product basis in Korea. This creates difficulties as tolerances can vary from product to product. Getting a new additive added to the approved list can be time consuming and troublesome. Even though there may be an established CODEX standard for a given food additive, if that food additive is not registered in the Korean Food Additive Code, or even if it is registered but usage in a certain food product is not specified, use of that food additive in the given food product is prohibited. This means that only food additives registered in the Korean Food Additive Code are allowed for use in food products, in accordance with the usage standards specified in the Food Additive Code.

In 2005, KFDA posted the Food Additive Code on its English website. The English website is very user friendly, provides names, usage standards, specifications, etc. for all approved additives. To access the Korean Food Additive Code in English, please follow the instructions below:

1. Go to www.kfda.go.kr
2. Click "English" on the top
3. Click "Korea Food Additive code" on the bottom of the left hand side column
4. You should now have access to the English language database of the Korean Food Additive Code

The office responsible for approving food additives in KFDA is as follows:

Food Additives Team

Nutrition & Functional Food Headquarters
Korea Food & Drug Administration
5 Nokbeon-dong, Eunpyung-ku
Seoul, Korea 122-704
Phone: 82-2-380-1687; Fax: 82-2-354-1399

SECTION V. PESTICIDE AND OTHER CONTAMINANTS (ANTIBIOTICS AND GROWTH HORMONES)

Three government agencies – the Korea Food & Drug Administration (KFDA), the Ministry of Agriculture & Forestry (MAF) and the Ministry of Environment (MOE) – handle pesticide related matters.

KFDA is responsible for regulating pesticide residues in foodstuffs, in accordance with the maximum residue levels (MRLs) set in the Food Code. As of July 2006, KFDA has set MRLs for foods for 370 pesticides. The MRLs are listed under Chapter 3 in the Food Code. KFDA used to provide the latest MRLs in English on its English website, but this service has been discontinued due to website changes. We will provide the website information when KFDA resumes the information in English on its MRL standards.

If an MRL is established in the Food Code for a given agricultural chemical, other tolerance levels, such as CODEX, etc., are not accepted. However, for agricultural chemicals where tolerance levels have not been established in the Korean Food Code, rules described below are applied.

1. The CODEX standards shall apply.
2. If the provision in (1) is not applicable, the lowest of the residue limits of the agricultural chemical in question specified for similar agricultural products shall apply to the agricultural product in which the agricultural chemical is detected (a grouping of similar agricultural products is provided in the Chapter 3 of the Korean Food Code).
3. If provisions in (1) and (2) are not applicable, the lowest of the residue limits of the agricultural chemical for any agricultural crop will apply to the detected agricultural chemical.

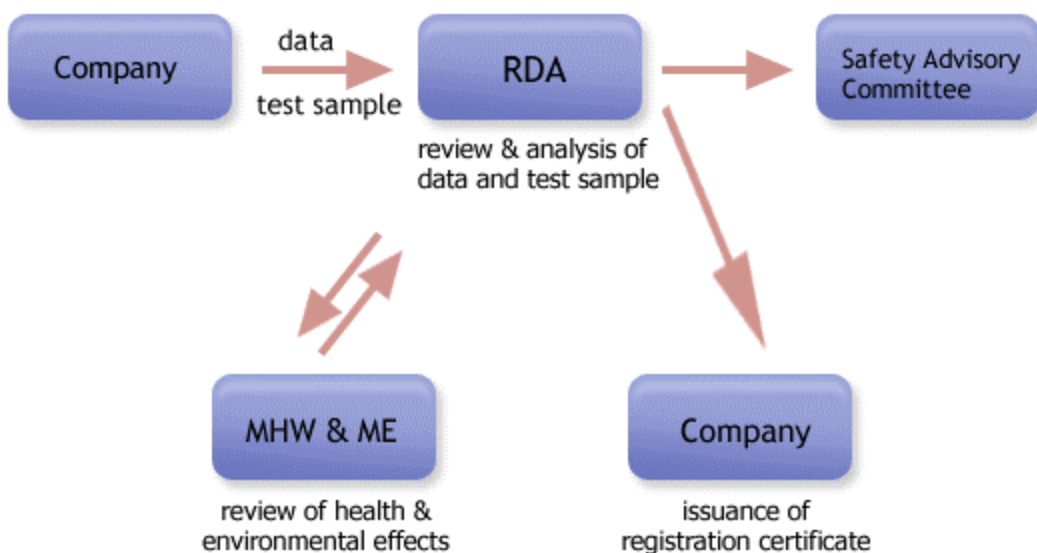
The Rural Development Administration (RDA) under MAF is responsible for the registration of pesticides, safety usage standards and notification of pesticides. All pesticides used in Korea should be registered with RDA. To date, 1,297 agrochemical items are registered with RDA. A list of registered agrochemicals can be obtained from the Korea Crop Protection Agency (KCPA: www.koreacpa.org). KCPA also has an English publication titled "Pesticide Handbook" that contains item names, trade names, and common names of registered agrochemicals. The registration process can take years. For registration data requirements, please contact the RDA office listed below:

Registration Management Team

Agricultural Resource Division
Research Management Bureau
Rural Development Administration
Suin-ro, 150th (250th, Seodun-dong), Gwonseon-gu
Suwon, Gyunggido, Korea
Phone: 82-31-299-2601~2
Fax: 82-31-299-2469

Registration procedures are as follows:

Registration Procedure of Agrochemicals



RDA : Rural Development Administration

MHW : Ministry of Health & Welfare

ME : Ministry of Environment

Source: Korea Crop Protection Association

MOE is responsible for testing pesticide levels in water, soil and agricultural products.

The Food Code also lists antibiotics and growth hormones approved for meat products in Chapter 3 of the code. It provides a list of permitted antibiotics and hormones and tolerance levels for each. The offices responsible for pesticides and contaminants are as follows.

Chemical Residues Team

Korea Food & Drug Administration
5 Nokbeon-dong, Eunpyung-ku
Seoul, Korea 122-704
Phone: 82-2-380-1673~5
Fax: 82-2-380-1378

Food Contaminant Team

Korea Food & Drug Administration Division
5 Nokbeon-dong, Eunpyung-ku
Seoul, Korea 122-704
Phone) 82-2-380-1669~71
Fax: 82-2-380-1359

SECTION VI. OTHER REGULATIONS AND REQUIREMENTS (CERTIFICATION)

A. Sanitary and Phytosanitary Certification Requirements – Animals, Meat, Plant, etc.

Sanitary and phytosanitary certificates issued by the exporting country's inspection authority are required for live animals, plants and meat products, such as beef, pork, poultry, etc. This requirement is in accordance with the Livestock Epidemics Prevention & Control Act, the Plant Protection Act, and the Livestock Processing Control Act.

For the United States, the U.S. Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), issues sanitary and phytosanitary certificates for live animals and plants, while the USDA, Food Safety & Inspection Service (FSIS), issues health certificates for meat products. The USDA, Agricultural Marketing Service (AMS) is responsible for the Beef Export Verification (BEV) program for the export of beef products to Korea. As of this writing, imports of U.S. beef into Korea are still banned.

Korea requires pre-approval of meat facilities, including slaughter plants, processors, warehouses, etc., prior to the export of product to the Korean market. Pre-approval is facilitated by registration with FSIS and being listed in the FSIS Meat, Poultry Inspection Directory and AMS's website under the BEV program. Further, it is advised that U.S. companies wanting to export meat products to Korea first verify that the supplying U.S. facilities are approved by Korea.

The "issuance date" of both health and phytosanitary certificates shall be prior to the "on-board date" listed on the Bill of Lading. The "inspection date" on a certificate must be prior to the departure date. To prevent unnecessary delay at the port of entry, the certificate "issuance date" should be prior to the departure date of shipments.

On December 23, 2003, in response to the finding of one positive case of BSE in Washington State, involving an animal that had been imported from Canada, Korea banned all ruminant animals and their products originating from the United States. Korea has similar bans on all ruminant products coming from 34 countries – 30 European nations, Japan, Israel, Canada and the United States. A total of 680 U.S. products have been banned due to the BSE situation. Only dairy products, hides and skins, semen of ruminant origin, fetal calf serum, porcine gelatin, porcine plasma powder, pet food without any ruminant ingredient in retail packages, tallow with an "insoluble impurity" of 0.15 percent or lower, and fish meal produced in a facility dedicated for producing only fish meal can be imported from approved plants. Korea has indicated its willingness to allow imports of the following products. However, details on certification, plant approval, etc., have yet to be completed. The products are: 1) Gelatin and collagen originating from hides and skins only; 2) Dicalcium phosphates free of protein and fat; and, 3) Hydrolyzed poultry protein for animal feed ingredients. Currently, the United States is working with Korea to approve the U.S. system for ensuring the safety of U.S. beef so that exports of deboned skeletal muscle meat from cattle under 30 months of age can begin.

On February 7, 2004, Korea suspended import inspection of U.S. poultry and poultry products, except for Specific Pathogen Free (SPF) hatching eggs and cooked products that were processed (e.g. heat treated to kill the virus), due to an Avian Influenza (AI) outbreak in Delaware. On February 24, 2004, the suspension of the import inspection of U.S. poultry products was dropped in favor of an outright ban on U.S. poultry products due to a detection of Highly Pathogenic Avian Influenza (HPAI) in Texas.

As of September 3, 2004, Korea removed the ban on imports of poultry, pet birds, wild birds, ostriches, etc. However, a ban on fresh and frozen poultry products, such as chicken meat, turkey meat, etc. was not removed until April 14, 2005. Currently, all U.S. live poultry and poultry meat products (both fresh and frozen) can be imported.

Current information on which U.S. livestock and poultry products are eligible for export to the Korean market can be found on the website of the USDA, FSIS at http://www.fsis.usda.gov/Regulations_and_Policies/Republic_of_Korea_Requirements/index.asp. This website also provides guidance regarding what documents must accompany livestock product shipments destined for Korea.

B. StarLink Free Certification

In December 2000, after KFDA detected StarLink protein in U.S. corn shipments, imported food-grade corn and corn-based food products were required to arrive with a StarLink-free certification issued by the exporting country. For U.S. corn shipments, such certification should be issued by the USDA, Grain Inspection, Packers, and Stockyards Administration (GIPSA), or an accredited lab, to minimize potential problems during inspection clearance. Regardless, the sales contract must specify the terms for pre-shipment tests. For processed food products containing corn as an ingredient, certification can be met with a letter, statement, or certificate issued by the manufacturer or the exporter stating the raw corn ingredient was "StarLink-free." All U.S. origin food grade corn and corn-based products must provide a StarLink-free certification at port of entry.

C. Bt 10 Free Certification

On March 25, KFDA announced that unprocessed U.S. food corn shipments loaded after March 25 must be tested and certified free from Bt10 and Bt11 prior to export to Korea in response to the Bt 10 incident in the United States. Later, KFDA changed its import measures pertaining to U.S. food corn shipments with regard to Bt 10 as follows: Effective June 15, 2005, a Bt 10 free certificate issued by GeneScan is required for U.S. food corn shipments (kernel corn). In addition to a Bt 10 free certificate, Bt 10 testing is required for the first shipments of U.S. origin food corn accompanied by a Bt 10 free certificate and will be conducted for each discharging vessel. After passing Bt 10 testing, subsequent shipments of the same product from the same supplier (and from the same loading facilities) will be tested only when they become subject to random inspection or, if necessary, during laboratory spot inspection. A Bt 10 test certificate is required for subsequent shipments although they are exempt from Bt 10 testing by KFDA. White corn, sweet corn, waxy corn, and popcorn are exempt from all Bt 10 related requirements.

SECTION VII. OTHER SPECIFIC STANDARDS (GMO SAFETY EVALUATIONS & ADVERTISEMENT)

Genetically Modified Organisms (GMOs) caught the public's attention and in particular, that of Korean consumer groups during the second half of 1998. On August 20, 1999, KFDA issued its guideline on the safety evaluation of genetically modified food products and food additives. This guideline, which established safety evaluation requirements and procedures for the approval of recombinant foods and food additives, in accordance with Article 4, Paragraph 2 of the Food Sanitation Act, was revised September 1, 2003. The revision mandates safety evaluations. Thus, foods and food additives developed through recombinant DNA techniques may be distributed commercially only after the KFDA Commissioner confirms that such foods and food additives pose no health risk to humans. On February 27, 2004, KFDA began to require mandatory safety evaluations for soybeans, corn, and potatoes and for all other biotech crops. In accordance with the KFDA guideline and the Food Sanitation Act, any product containing biotech ingredients that have not completed the safety evaluation cannot be sold in Korea. To date, 46 U.S. crops – roundup ready soybeans, 23 corn events, 11 cotton events, six canola events, four potato events, and one sugar beet event – have passed KFDA's safety evaluations conducted according to this guideline.

On May 4, 2001, MAF released the draft guidelines for environmental risk assessments (ERAs) of biotech crops used for food, feed and seed. MAF finalized guidelines on January 9, 2002, to operate environmental risk assessments of biotech crops on a voluntary basis. To date, 27 applications for environmental risk assessments have been submitted, and assessments of 18 of the 27 events (one soybean event, nine corn events, five cotton events, and three canola events) have been completed. ERAs for all LMOs, including LMOs for food, feed, and processing (FFP) and seed, will become mandatory when MOCIE's LMO Act goes into effect, which is expected to happen sometime in 2007. U.S. biotech developers are strongly encouraged to submit application for ERAs to the Rural Development Administration (RDA) of MAF as soon as possible to avoid any trade disruption when the ERAs becomes mandatory.

MAF is also working to prepare a guideline for safety assessments of feed enhanced through biotechnology. No specific plan has been announced, but MAF must first revise its Feed Management Act, which currently does not require safety assessments for animal feed.

For details about Korea's regulations and situation pertinent to biotechnology, please refer to Attaché report KS 6074.

On March 5, 2002, the Korean Fair Trade Commission (FTC) announced new advertisement requirements for food containing a biotech-enhanced ingredient effective July 1, 2002. The FTC, in its revision of the "Notification of Principle Information on Labeling & Advertisement" guideline, defines the "presence" of a biotech component as principal information that must be provided in an advertisement for any food product that MAF or KFDA requires to be labeled as biotech-enhanced foods. According to FTC's advertisement notification rules, anyone who manufactures or sells biotech-enhanced foods, and advertises such products in one of the identified forms below, needs to indicate the presence of the biotech component:

1. Newspapers or magazines;
2. T.V. commercials (when its running time is greater than two minutes); and,
3. Cable T.V. commercials.

The pertinent indication must be made as follows:

1. "Contains biotech-enhanced food" when the presence of a biotech-enhanced component is certain;
2. "May contain biotech-enhanced food" when the presence of a biotech-enhanced component is uncertain.

SECTION VIII. COPYRIGHT AND/OR TRADEMARK LAWS

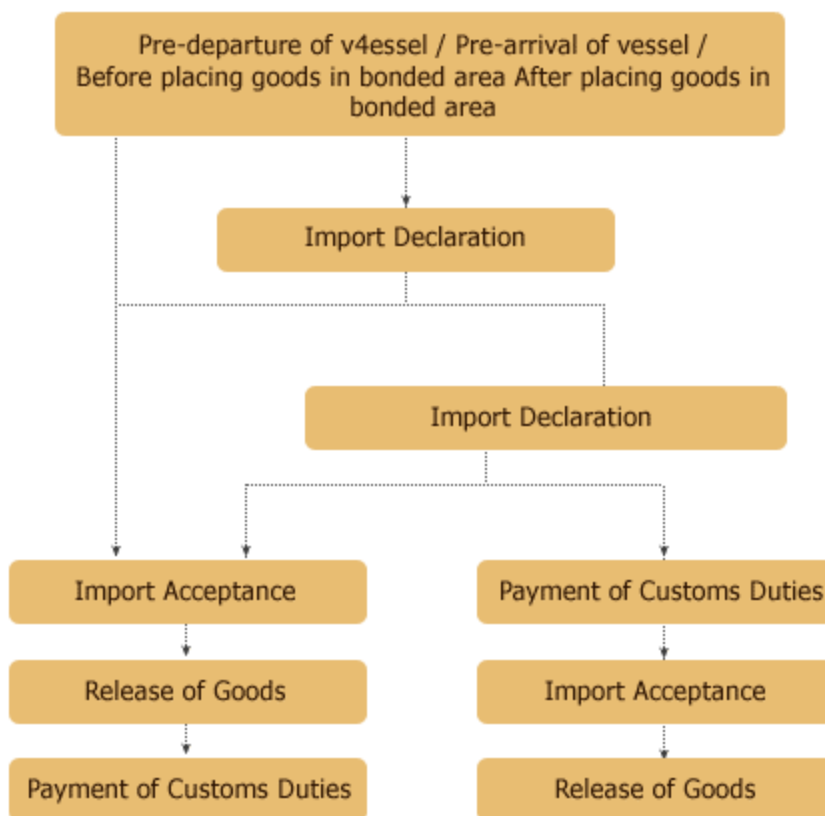
The Korea Industrial Property Office is responsible for registration of trademarks and for review of petitions related to trademark registration. In accordance with the Trademark Law, the trademark registration system in Korea is based on a “first-to-file” principle. A person who registers a trademark first has a preferential right to that trademark and Korean law protects the person who has the right over the trademark. To prevent trademark disputes, U.S. companies considering conducting business in Korea are encouraged to register their trademarks prior to beginning their business operations.

SECTION IX. IMPORT PROCEDURES

The Korea Customs Service (KCS), KFDA, the National Quarantine Office (for ports that do not have KFDA regional offices), the National Veterinary Research & Quarantine Service, and the National Plant Quarantine Service are the agencies involved in the import clearance process. Imports of agricultural products generally must receive clearance from several agencies and are, thus, more likely to encounter port delays than other imported products. Delays can be costly due to the perishable nature of many agricultural products. In addition, other entities may be involved in regulating imports through the administration of licenses or, in some cases, quotas for agricultural products. KCS is responsible for ensuring that all necessary documentation is in place before the product is released from the bonded area. KCS operates the Electronic Data Interchange (EDI) system, and KFDA operates the imported food network system through its regional and national quarantine offices. The KFDA network system is connected to the EDI system, which permits KFDA inspection results to be transmitted more quickly, thus shortening KCS clearance time. The respective quarantine inspection authorities must clear products subject to plant or animal quarantine inspection before KCS will clear them.

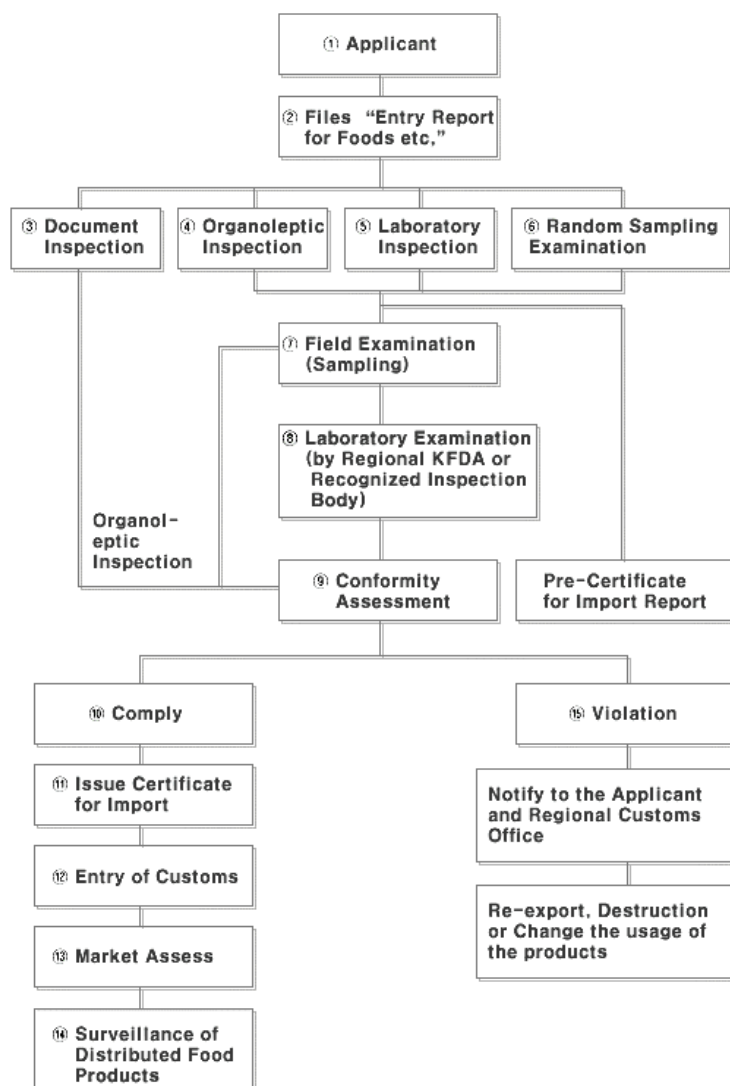
KCS Import Clearance Procedures

Flow Chart of Import Clearance Procedures



Source: Korea Customs Service

Korea Food & Drug Administration (KFDA) Import Procedures



Korea Food and Drug Administration, Food Safety Bureau, Food Distribution Division

Source: Korea Food & Drug Administration

KFDA Inspection Duration

Document Inspection	2 days
Visual Inspection	3 days
Laboratory Inspection	10 days
Incubation Test	14 days
Random Inspection	5 days

1. The importer or the importer's representative submits the "Import Declaration for Food, etc."

2. The type of inspection to be conducted is determined in accordance with the guidelines for inspection of imported food products. The types of inspection that a given food product may be subject to include: document inspection, organoleptic inspection, laboratory inspection, and random sampling examination.

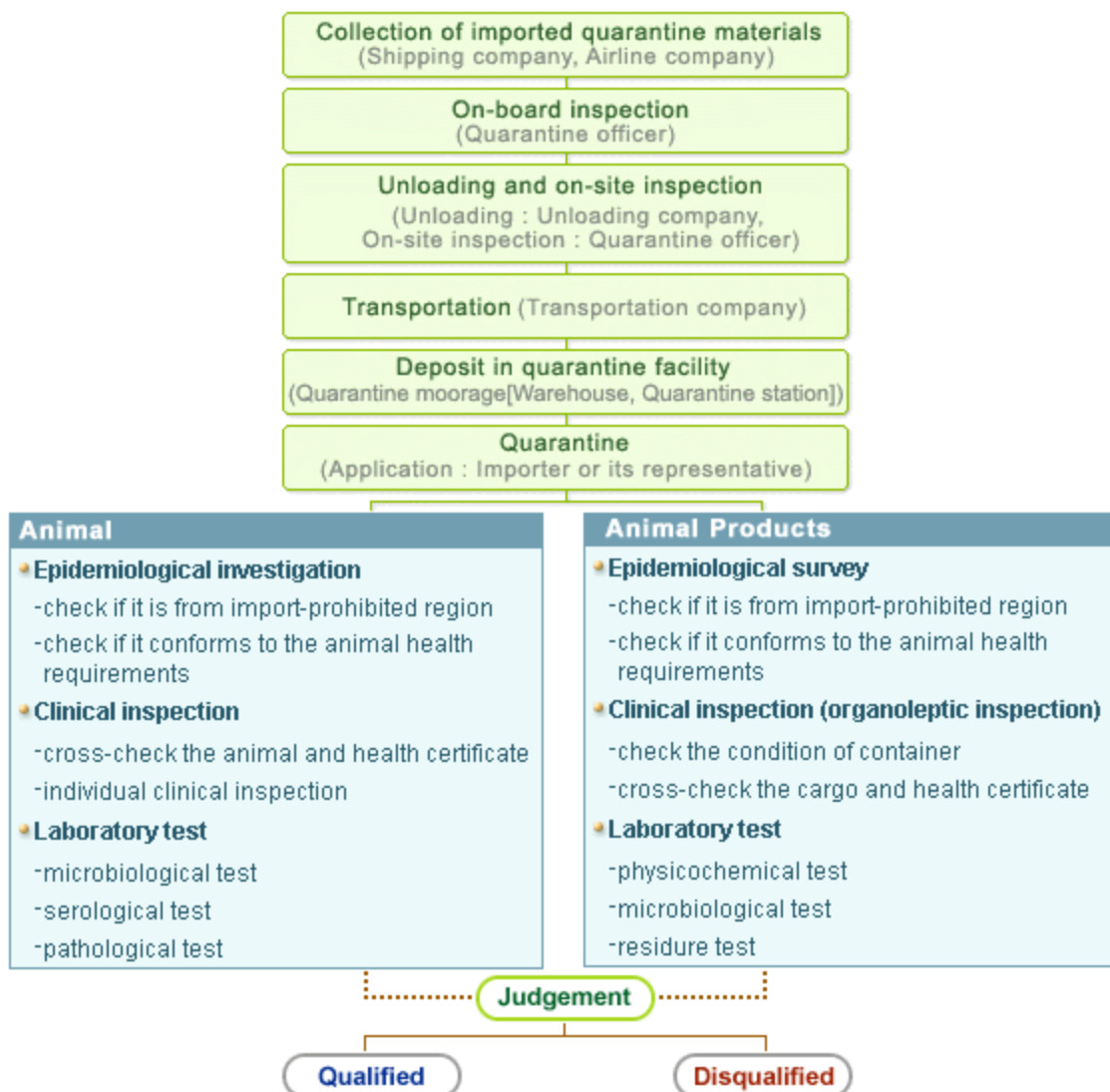
3. If a product is subject to organoleptic inspection, laboratory inspection and random sampling examination, the KFDA inspector will conduct a field examination and take samples for the laboratory test.
4. KFDA conducts the conformity assessment from the information collected, using such items as test results, document inspection results, etc.
5. If a product complies with the Korean standards, KFDA issues a certificate for import. An importer can clear products with the KFDA import certificate.
6. If a product does not comply with the Korean standards, KFDA will notify the applicant and the regional customs office about the nature of the violation. The importer decides whether to destroy the product, return the shipment to the exporting country, or use it for non-edible purposes. If a minor violation can be corrected, as with labels, the importer can reapply for inspection after making the corrections.

For perishable agricultural products, such as fresh vegetable, fruits, etc., an importer can clear the products prior to completion of the laboratory test with a pre-certification authorization from KFDA. In this case, however, the importer needs to be able to track distribution of the given product so the products can be recalled should the laboratory test indicate a violation.

If products are subject to animal quarantine inspection or plant quarantine inspection, in addition to food inspection by KFDA, the animal quarantine certificate or plant quarantine certificate issued by the National Veterinary Research & Quarantine Service (NVRQS) or the National Plant Quarantine Service (NPQS) is required for product clearance, in addition to the KFDA certificate. Inspection by NPQS or NVRQS can take place simultaneously with the KFDA inspection. NVRQS and NPQS quarantine inspection procedures are as follows:

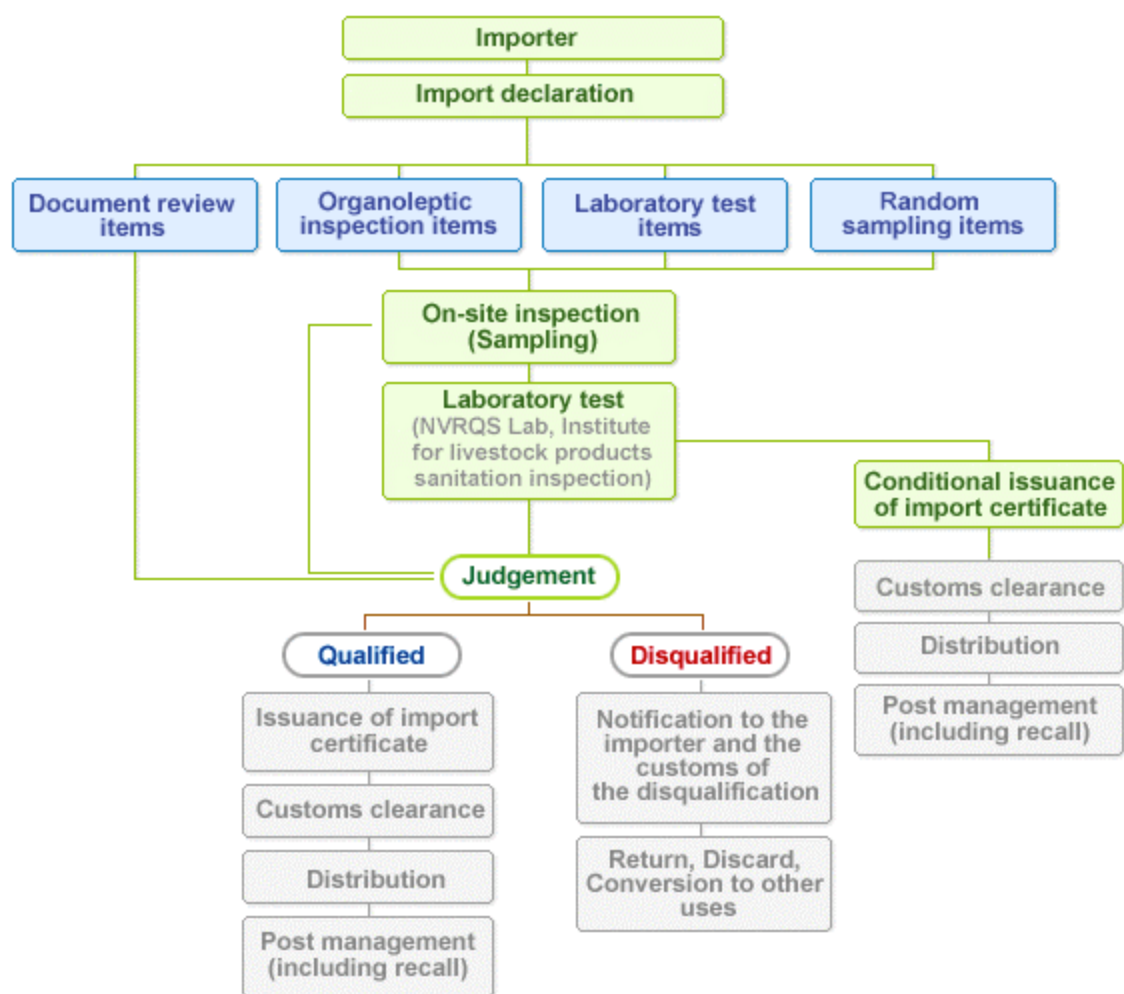
NVRQS Quarantine Inspection Procedures

Quarantine of Imported Animals and Animal Products



Source: National Veterinary Research & Quarantine Service

Sanitary Inspection of Imported Animal Products

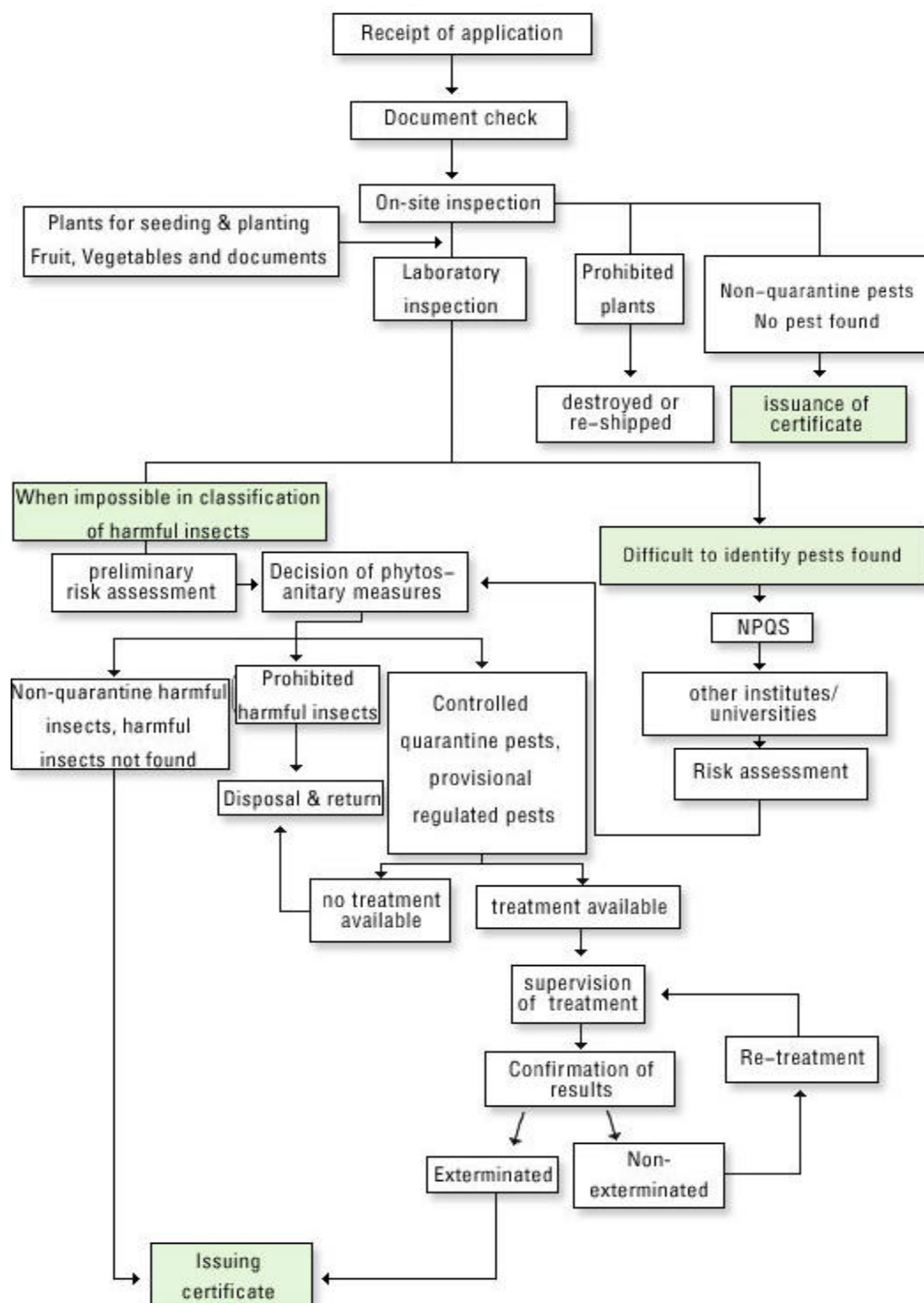


Source: National Veterinary Research & Quarantine Service

NVRQS Inspection Duration:

Document Inspection	3 days
Visual Inspection	5 days
Laboratory Inspection	18 days
Incubation Test	18 days

NPQS Quarantine Inspection Procedures



Source: National Plant Quarantine Service

Duration of NPQS inspection is usually completed within 10 days unless items are subject to further testing.

On May 15, 2000, KFDA issued a revision to the Guideline for Inspection of Imported Food Products adding a clause setting limits on the minimum amount of the initial commercial shipment that it would inspect directly. When the quantity of the imported food is less than 100 kg, the imported food will be inspected by a KFDA-recognized inspection organization – other than the regional KFDA office or National Quarantine Services. Importers will be responsible for charges associated with import inspection. Detailed information is available from the KFDA's website: <http://www.kfda.go.kr>.

On August 18, 2003, MHW issued a revision of the Ministerial Ordinance of the Food Sanitation Act that required laboratory testing for agricultural products every year and for processed products every three years, notified to the WTO under SPS 123. In response to concerns expressed by several WTO members including the United States, the Korean government reduced the number of chemicals to be tested for and lowered the testing fee on May 21, 2004. On July 27, 2005, MHW announced the revision of the Ministerial Ordinance to the Food Sanitation Act to address WTO members' concern with regard to SPS 123. The revision included changes to Korea's import inspection procedures for agricultural and processed food products, returning to practices in place before Korea's January 2003 notification that imposed stricter import procedures notified as SPS 123.

In addition, on August 5, 2005, KFDA announced a revision of the Import Inspection Guidelines. The revision lists agriculture and food products that are exempt from mandatory laboratory testing on the grounds that the listed products have not had any violations for the past five years. Food products with no record of violations resulting from past lab tests, and recognized by the KFDA Commissioner as safe, became subject to a document inspection only. The U.S. origin products covered under the regulations include: oranges, lemons, wheat, cherries, grapefruit, table grapes, frozen cod, frozen cod roe, frozen and chilled monkfish, biscuits, roasted coffee, and vegetable cream. The revisions also reduced the fees for chemical residue testing for agricultural products from about \$2,000 to \$500.

SECTION X. APPENDIX**APPENDIX I – PRIMARY KOREAN FOOD AGENCIES**

- a. Ministry of Health & Welfare: <http://www.mohw.go.kr>
- b. Ministry of Agriculture & Forestry: <http://www.maf.go.kr>
- c. Ministry of Maritime Affairs & Fisheries: <http://www.momaf.go.kr>
- d. Ministry of Environment: <http://www.me.go.kr>
- e. Ministry of Commerce, Industry and Energy: <http://www.mocie.go.kr>
- f. Korea Food & Drug Administration: <http://www.kfda.go.kr>
- g. National Veterinary Research & Quarantine Service: <http://www.nvrqs.go.kr>
- h. National Plant Quarantine Service: <http://www.npqqs.go.kr>
- i. Rural Development Administration: <http://www.rda.go.kr>
- j. National Agricultural Product Quality Management Service: <http://www.naqs.go.kr>
- k. National Agricultural Cooperative Federation: <http://www.nacf.co.kr>
- l. Agriculture & Fishery Marketing Corporation: <http://www.afmc.co.kr>
- m. Korea Forestry Administration: <http://www.foa.go.kr>
- n. Korea Rural Economic Institute: <http://www.krei.re.kr>
- o. Korea Industrial Property Office: <http://www.kipo.go.kr>
- p. Korea Health Industry Development Institute: <http://www.khidi.or.kr>
- q. Korea Bio-safety Clearing House: <http://www.biosafety.or.kr>
- r. Korea Customs Service: <http://www.customs.go.kr/>

APPENDIX II – WORLD TRADE ORGANIZATION (WTO) Enquiry Point

Names of the SPS Enquiry Point are as follows;

Animal or plant health or zoonosis (including aquatic animals)

Bilateral Cooperation Division
International Agriculture Bureau
Ministry of Agriculture & Forestry
1 Choongang-dong, Kwacheon City
Kyunggi-do, Korea 427-760
Phone: 82-2-500-1726 or 1727; Fax: 82-2-504-6659

Food Safety

Trade Affairs Team
Ministry of Health & Welfare
1 Choongang-dong, Kwacheon City
Kyunggi-do, Korea 427-760
Phone: 82-2- 2110-6006-6007; Fax: 82-2-504- 3981

International Trade & Cooperation Team
Korea Food & Drug Administration
5 Nokbeon-dong, Eunpyung-ku
Seoul, Korea 122-704
Phone: 82-2-380-1661 or 1662; Fax: 82-2-356-2893
E-mail: wtokfda@kfda.go.kr

Aquatic Animal Health and Sanitation

Trade Promotion Division
International Cooperation Bureau
Ministry of Maritime Affairs & Fisheries
139 Choongjungro 3-ga, Seodaemun-ku
Seoul, Korea 120-715
Phone: 82-2-3674-6840/5; Fax: 82-2-3674-6844

APPENDIX III – LIST OF AVAILABLE REGULATIONS

The following regulations are available either in English or Korean from the Agricultural Affairs Office in Seoul. Contact information is:

Agricultural Affairs Office**U.S. Embassy****Seoul, Korea**

Local address:

32 Sejongro, Jongro-ku

Seoul, Korea

Tel: 82-2-397-4297

Fax: 82-2-738-7147

E-mail: agseoul@usda.gov

U.S. address:

US Embassy, Seoul

Unit 15550 – AGR

APO, AP 96205-5550

1. Food Sanitation Act
2. Presidential Decree to the Food Sanitation Act
3. Ministerial Ordinance to the Food Sanitation Act
4. Labeling Standards for Food et al.
5. Korean Food Code
6. Korean Food Additive Code
7. Livestock Processing Control Act
8. Presidential Decree to the Livestock Processing Control Act
9. Ministerial Ordinance to the Livestock Processing Control Act
10. Livestock Code
11. Labeling Standards for Livestock Products
12. Agricultural Products Quality Control Act
13. Country of Origin Regulations
14. Sustainable Agriculture Promotion Act
15. Presidential Decree to the Sustainable Agriculture Promotion Act
16. Ministerial Ordinance to the Sustainable Agriculture Promotion Act
17. Guidelines for Safety Assessment of Food & Food Additives Developed Through Recombinant DNA techniques
18. Guidelines for Risk Assessment of Biotech Crops for Environmental Release
19. Guidelines for Labeling Standards for Non-Processed GMO Products
20. Guidelines for Labeling Standards for Processed Food Products Containing GM Ingredients
21. LMO Act and its Presidential Decree and Ministerial Ordinance
22. Regulations on Imported Health/Functional Food Notification & Inspection Procedures
23. Labeling Standards for Health/Functional Food
24. Regulations on recognition of standards and specifications for health/functional foods.

The Korea Food & Drug Administration (KFDA) also provides English translations for some food-related regulations on its English website. Please go to www.kfda.go.kr. Once the front page of the KFDA's website is open, click "English" at the top. Then, click "Relevant Rule" at the left. Finally, a list of regulations available in English is provided.

APPENDIX IV – STANDARDS FOR PACKAGING, CONTAINER OR EQUIPMENT FOR FOOD PRODUCTS

Standards for packaging, container, or equipment for food products are found in the Korean Food Code. This regulation is available in Korean as part of the Korean Food Code mentioned above.

APPENDIX V - U.S. LABORATORIES ACCREDITED BY THE KOREAN GOVERNMENT (KFDA)

KFDA operates a program that recognizes foreign laboratories as official testing laboratories. This program aims to enhance the efficiency of conducting inspection of imported foods. KFDA authorizes foreign laboratories and recognizes inspection certificates or certificates of laboratory test results issued by these authorized laboratories. As of now, there are two U.S. laboratories that have been authorized by KFDA. They are:

1. Oregon Department of Agriculture's Export Service Center

The Oregon Department of Agriculture's Export Service Center (ESC) is a one-stop technical assistance center for U.S. food manufacturers and exporters. It is designed to reduce obstacles for exporting products. The ESC has been certified by the Korean Food & Drug Administration to do food-related testing, such as residue and microbiological testing on food and beverages and food package testing, for products bound for Korea. A certificate of inspection from this lab usually expedites clearance inspections at Korean Customs. The ESC offers a range of technical services, including product evaluation and certification. It will evaluate products for foreign country requirements and issue a certificate that minimizes the chances of product rejection. For more information on the services which the Export Service Center provides contact:

**Oregon Department of Agriculture
Export Service Center**

1200 N.W. Naito Parkway, Suite 204
Portland, Oregon 97209-2835
Tel: 503-872-6644; Fax: 503-872-6615
E-mail: esc-food@oda.state.or.us

2. Omic USA Inc.

Omic USA is the second U.S. laboratory to be recognized by the Korea Food & Drug Administration as an official foreign testing laboratory. OMIC USA has been certified to conduct testing on agricultural products, processed food products including health functional food, which are bound for Korea. The contact information follows:

Omic USA Inc.

Mr. Ryuichi Kurosawa, President
1200 N.W. Naito Parkway
Portland, Oregon 97209
Tel: 503-224-5929; Fax: 503-223-9436